F.A.O. No.21 OF 2016
Misc. Case No.50 of 2016

02. 29.01.2016 This is an application for condonation of delay of 10 days in filing the appeal.

Considering the grounds taken in the application, the delay in filing the appeal is condoned.

Misc. Case is accordingly disposed of.

..

S.C. Parija, J.

F.A.O. No.21 of 2016

03. 29.01.2016 Deficit A. fee is stated to have paid today.

Office to verify.

Heard learned counsel for the parties.

Though the matter was listed for orders, on the consent of the parties, the same is being taken up for final disposal.

This appeal by the Insurance Company is directed against the judgment/order dated 31.10.2015, passed by the Commissioner for Employees Compensation, Cuttack, in W.C. Case No.337-D of 2007, awarding an amount of Rs.1,99,953/- to be deposited within 30 days, failing which, the amount shall carry interest @ 12% per annum from the date of judgment, till realization.

Considering the grounds taken in the appeal and keeping in view the quantum of compensation amount awarded and the basis on which the same has been arrived at, I feel, the interest of justice would be best served if the compensation amount of Rs.1,99,953/- is modified and reduced to Rs.1,75,000/- (Rupees One lakh seventy five thousand), which is payable to the claimant-respondent no.2, on which no interest is payable. The impugned award is modified to the said extent.

The Commissioner for Employees Compensation, Cuttack, is directed to disburse the modified compensation amount of Rs.1,75,000/- (Rupees One lakh seventy five thousand) along with accrued interest thereon to the claimant-respondent no.2. The balance deposited amount along with accrued interest thereon shall be refunded to the appellant-Insurance Company.

F.A.O. is accordingly disposed of.

.

S.C.Parija, J.